IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8390 OF 2005

Udaykumar Mudlyar and others. ....Petitioners

Versus

Member Secretary, Mumbai APMC and Anr. ... Respondents.

Mr. U.B. Nighot for the petitioners.
Mr. M.M. Bhadrashetty for respondent No.1.
Mr. R.D. Rane, Government Pleader, for respondent No.2.

CORAM: **V.G. PALSHIKAR, Ag. C.J.,** &
D.B. BHOSALE, J.

DATE: **DECEMBER 07, 2005**.

P.C.

By this petition, the petitioners have prayed for interference by this Court in respect of inviting sealed tenders by the Agricultural Produce Market Committee, Navi Mumbai, for maintenance of toilets in the new fruit and vegetable market complex. The process was open to all including the petitioners and the petitioners could have, therefore, participated in the same. No doubt, the petitioners also have a right not to participate, but then in the matter of such contractual rights and obligations, a writ petition is not tenable.

2. Apart from the tenability, we are pained to note that a High

Court of Judicature is moved and asked to interfere in the matter of contract of cleaning toilets or maintaining toilets. If such petitions are entertained, no other work will be possible for the Court of writ jurisdiction. Hence petition is dismissed with costs of Rs.500/-.